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# Appellate Practice in the Digital Age

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## Appellate Practice in the Digital Age:

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**We are in a transitional phase in the law's  
adaptation to the digital era.**

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## Appellate Practice in the Digital Age:

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1. The digital age has changed legal writing.
2. People have adapted inconsistently.
3. Standards, rules, and practices are undeveloped.

*Sandifer v. United States  
Steel Corp.,*  
678 F.3d 590, 591  
(7th Cir. 2012)

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“These appeals arise out of a class action .... The plaintiffs argue that U.S. Steel has violated the [**Fair Labor Standards Act**] by failing to compensate them for the time they spend in putting on and taking off their work clothes in a locker room at the plant (‘clothes-changing time’) and in walking from the locker room to their work stations, and back again at the end of the day (‘travel time’).”





## *Sandifer* Issue:

### Were workers “changing clothes?”

(if so, they aren’t working)

Plaintiffs (hourly workers at U.S. Steel’s steel works in Gary, Indiana) argued, no, it’s “personal protective equipment.”



*Sandifer v. United States  
Steel Corp.,  
678 F.3d 590, 592  
(7th Cir. 2012)*

POSNER, *Circuit Judge*:  
“These work clothes are  
in the record, and since  
a picture is worth a  
thousand words, here is  
a photograph of a man  
modeling the clothes:”



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